

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

YVONNE CRENSHAW,

Plaintiff,

Case No. 07-13411

v.

Honorable John Corbett O'Meara

COLLECTO, INC.; ASSET ACCEPTANCE,
L.L.C.; MIDLAND CREDIT
MANAGEMENT, INC.; MERCHANTS &
MEDICAL CREDIT CORPORATION, INC.;
THE HAYMAN COMPANY; and MHT
HOUSING III, INC.,

Defendants.

ORDER OF PARTIAL DISMISSAL

Plaintiff Yvonne Crenshaw filed a twenty-seven (27) count complaint against six companies on August 15, 2007. Nine counts alleges violations of federal law, specifically 15 U.S.C. §§ 1692a(6) and 1681s-2(b). The remaining counts allege negligence, negligence *per se*, and intentional infliction of emotional distress, as well as violations of Michigan Collection Practices Act. Plaintiff also seeks declaratory and injunctive relief under Michigan common law.

While the claims alleging violations of federal law are cognizable in this court pursuant to 28 U.S.C. § 1331, all the remaining allegations in the complaint present claims based on state law. The parties to this matter are not diverse. Therefore, this court declines to exercise pendent jurisdiction over the state claims. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); 28 U.S.C. § 1367(c).

Accordingly, it is hereby **ORDERED** that Counts XII, XIII, XIV, XV, XVII, XVIII, XIV, XX, XXII, XXIII, XXIV, XXV, XXVI, and XXVII are **DISMISSED**.¹

s/John Corbett O'Meara
United States District Judge

Dated: October 5, 2007

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, October 5, 2007, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager

¹The court notes that Plaintiff filed an order of voluntary dismissal regarding defendant Collecto only on October 1, 2007, thereby also dismissing Counts VI, VIII, VIII, IX, and X.